IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

UNITED STATES OF AMERICA,	)	INFORMATION
	)	
Plaintiff,	)	1:13MJ8013
	)	
v.	)	CR. NO. _____
	)	
TIMMAPPA BIDARI,	)	Title 21, United States Code Section 331(a), 352(f), 333(a)(1)
	)	
Defendant.	)	

The United States Attorney charges:

MAG. JUDGE VECCHIARELLI

COUNT 1

1. Title 21, United States Code, Section 331(a) prohibits the introduction into interstate commerce of any drug that is misbranded. Under Title 21, United States Code, Section 352, a drug is misbranded if its labeling is false or misleading in any manner, or if its packaging or labeling fails to comply with the stringent requirements of the Federal Food, Drug, and Cosmetic Act and related regulations promulgated by the United States Food and Drug Administration (FDA). A drug may therefore be misbranded even if it is identical in composition to an FDA-approved drug (that is, a drug labeled and packaged in compliance with

the FDA's standards) and even if it was made by the same manufacturer in the same facility as the FDA-approved version.

2. Defendant TIMMAPPA BIDARI, M.D., an oncologist, purchased and received oncology drugs Taxotere, Gemzar, Oxaliplatin, Eloxatin, Irinotecan, Campto, Mitoxantrone, Hycamtin, Zometa, Procytox, Topotecan and Fluororacil from Company #1, a foreign-based drug distributor located in Canada, between September 8, 2005, and February 19, 2009. All of these drugs purchased by BIDARI originated outside the United States and were never approved by the FDA for introduction into the United States.

3. Between September 8, 2005, and February 19, 2009, Defendant TIMMAPPA BIDARI, in the Northern District of Ohio, Eastern Division, caused the introduction into interstate commerce of prescription drugs that were misbranded for lacking adequate directions for use; that is, they did not bear labeling indicating the drugs had been approved by the FDA for use in the United States.

In violation of Title 21, United States Code, Section 331(a), 352(f), 333(a)(1).

Ann C. Rowland

ANN C. ROWLAND
Chief, Major Fraud and Corruption Unit